

REMARKS

Claims 1-12 and 14-15 are pending. Claims 1-10 and 15 have been allowed. By this response, claim 11 is amended and claim 13 is cancelled. Reconsideration and allowance based on the above amendments and following remarks are respectfully requested.

Applicants appreciate the indication of claims 1-10 and 15 as being allowed and claims 12 and 13 as containing allowable subject matter.

The Office Action objects to the drawings under 37 C.F.R. §1.83(a). Specifically, the Office Action alleges that the limitation of evacuation channel structure in claim 12 must be shown in the drawings or cancelled. Applicants respectfully disagree.

Applicants note that 37 C.F.R. §1.83(a) states “conventional features disclosed in the description and claims, where the detailed illustration is not essential for a proper understanding of the invention, should be illustrated in the drawings in the form of a graphical drawing symbol or a labeled representation.” Applicants respectfully submit that the evacuation channel structure as disclosed in the specification at least on page 12, second paragraph in regard to Fig. 10, is illustrated by the graphical illustration of the cells 27 which include the channel structure. Applicants respectfully submit that such an illustration in combination with the claim language and the description in the specification is in compliance with 37 C.F.R. §1.83(a). Accordingly, withdrawal of the objection is respectfully requested.

The Office Action rejections claims 11 and 14 under 35 U.S.C. §102(e) as being anticipated by Amemiya (U.S. Patent No. 6,583,560). This rejection is respectfully traversed.

By this Response, applicants have amended claim 11 to include the features of claim 13. Claim 13 has been indicated as containing allowable subject matter. Therefore, claim 11 is now allowable. Thus, claim 14 which is dependent upon claim 11 is also allowable.

In view of the above, applicants respectfully submit that the rejection in regard to claims 11 and 14 is now moot and the application is now in condition for allowance. Accordingly, withdrawal of the rejection and allowance of the application are respectfully requested.

Conclusion

Applicants respectfully submit that this application is now in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings (Reg. No. 48,917) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Appl. No. 09/816,328

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachment(s)